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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,232	02/14/2002	Glen J. Anderson	P1846US01	2852

7590 04/19/2005

Attention: Kenneth J. Cool  
GATEWAY, INC.  
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EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/076,232

**Applicant(s)**

ANDERSON ET AL.

**Examiner**

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 5, 10 - 13, 15, 20 - 21, 23, 27 - 28 is/are rejected.
- 7) ☒ Claim(s) 4, 6 - 9, 14, 16 - 19, 22, 24 - 26, 29 - 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413) .<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)               |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 – 3, 5, 10 – 13, 15, 20 – 21, 23, 27 – 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Mano et al. (“Mano”; U.S. Patent Number 5,793,366).

Mano's GRAPHICAL DISPLAY OF AN ANIMATED DATA STREAM BETWEEN DEVICES ON A BUS produces a series of illustrations in the operator interface of devices that are connected to a data processing system, as appear in figs 1 – 4. These show the data being transmitted from one device to another, and in so representing the utilization of the devices, are illustrative of a graphical user interface that is configured, based upon device utilization via a plurality of ports, as in the following comparison to those claims still rejected using this ground:

Concerning independent claim 1, Mano discloses monitoring a plurality of ports included on the information handling system (col. 3 lines 2-10);

determining utilization by a utilization device of a port of the plurality of ports, the utilization device communicatively coupled to at least said port of the plurality of ports (col. 3 lines 11-20); and

configuring a user-interface operating on the information handling system based on the determined utilization by the device of the port of the plurality of ports (col. 2 lines 60-62 & col. 3 lines 2-8).

Regarding claim 2, Mano, by reporting differently for different devices, teaches determining utilization by the device of the port, according to which port of the plurality of ports to which the device is communicatively coupled (col. 3 lines 20-31).

As per claim 3, Mano's device-specific display with animated content depicting data transfer has configuring that includes arranging content displayed on a display device of the information handling system, the content corresponding to devices communicatively coupled to the ports in a manner corresponding to usage by the devices of the ports (col. 3 lines 51-67 & Figure 4).

Concerning claim 5, Mano teaches that the user-interface is arranged so that content corresponding to a first device and content corresponding to a second device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

Regarding claim 10, Mano discloses configuring the user interface based on an output device communicatively coupled to the information handling system (Mano's patent col. 4 lines 8-15).

As per claim 11, Mano discloses configuring the user interface based on applications operating on the information handling system (col. 4 line 64 –col. 5 line 1), since applications are needed to control the respective devices illustrated.

Regarding claim 12, Mano's figs 1 – 4 show that the monitored plurality of ports can be seen as being arranged in two groupings, the two groupings being utilized to configure the user interface (col. 4 lines 39-41). Please note that the various devices can be organized, for example, into groups of audio and video components.

As per independent claim 13, Mano teaches a method of configuring a user interface of an information handling system based on utilization of ports included with the information handling system, comprising:

monitoring a plurality of ports included on the information handling system (col. 3 lines 2-10);

determining utilization by a first device communicatively coupled to a first port and a second device communicatively coupled to a second port of the plurality of ports (col. 3 lines 11-20); and

configuring a display of a user-interface operating on the information handling system based on the determined utilization of the first port and of the second port, wherein the configuring step includes arranging the user-interface so that content corresponding to the first device and content corresponding to the second device is displayed based upon the ports utilized by the first device and the second device (col. 3 lines 2-8 & col. 3 lines 51-67 & Figure 4).

Concerning claim 15, Mano discloses that the user-interface is arranged so that content corresponding to a first device and content corresponding to a second device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

As per claim 20, Mano shows a monitored plurality of ports that are arranged in at least two groupings, the groupings being utilized to configure the user interface (col. 4 lines 39-41).

As per claim 21, Mano discloses an information handling system, comprising:

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a plurality of ports suitable for communicatively coupling the information handling system to a device (col. 3 lines 2-10);

a memory suitable for storing a program of instructions (col. 8 lines 1-24);

a display device suitable for outputting a display of information (col. 8 lines 1-24);

and

a processor suitable for performing a program of instructions, the processor being communicatively coupled to the plurality of ports, the memory and the display device wherein the program of instruction configures the processor to monitor the plurality of ports so that utilization of the ports by devices is employed to cause the processor to configure a display of a user interface so that content corresponding to each of the devices is arranged based upon which of the ports is utilized by the devices. (col. 8 lines 1-24 & col. 4 line 64 – col. 5 line 5 & col. 3 lines 2- 8).

Regarding claim 23, Mano states that the user-interface is arranged so that content corresponding to a first device and content corresponding to a second device is displayed based upon the ports utilized by the first device and the second device (col. 5 lines 9-16 & col. 5 lines 25-35).

As per claim 27, Mano further discloses that the monitored plurality of ports are arranged in at least two groupings, the groupings being utilized to configure the user interface (col. 4 lines 39-41).

Concerning claim 28, Mano teaches an information handling system, comprising:  
means for coupling the information handling system to at least one peripheral device (col. 3 lines 2-10);

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means for storing a program of instructions (col. 8 lines 1-24);

means for displaying an output on a display of the information handling system (col. 8 lines 1-24); and

means for processing a program of instructions, wherein the program of instructions will configure a display on the display means so that content corresponding to a function of at least one of the at least one peripheral devices is included (col. 8 lines 1-24 & col. 4 line 64 – col. 5 line 5 & col. 3 lines 2- 8).

3. Applicant's arguments filed 4 January 2005, as they continue to apply, have been fully considered but they are not persuasive.

At page 1 of the remarks, applicant argues that “there is no disclosure in the Mano patent of monitoring a plurality of ports. Instead, Mano is concerned with determining when a device is added to the serial bus and then providing for automatic display of a graphical image representing that device.” However, it remains that the devices attached to the serial bus in Mano are so attached by the use of ports, and in producing specific displays when the Mano devices are used, this disclosure indeed reads upon applicant's user interface display that is based on port utilization. This answers applicant's argument at page 2 that “there is no teaching in the Mano patent of determining utilization by a utilization device of a particular port”, and also “which port of the plurality of ports to which the device is communicatively coupled”.

Regarding claim 12, applicant argues at page 3 that “it is simply not seen that this [example from Mano] is a teaching of arranging the monitored plurality of ports in at least two groupings”. However, the devices in Mano can indeed be categorized, and

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will readily form two groups, as noted above. These groupings will then carry forward into the operator interface.

4. Claims 4, 6 – 9, 14, 16 – 19, 22, 24 – 26, 29 – 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The use of “priority” for the production of an interface display (as seen in claims 4, 9, 14, 19, 22, 26), and in particular, the actual assignment of “priority” to the ports (claims 6, 16), upon reconsideration, is not taught nor suggested by the art of record. Mano, to give an example, produces a display of ports and their devices, but not one having priority order, as might be obtained by considering whether a port is on a “front portion” or “rear-portion of the chassis” (claims 7, 17, 24), “temporal considerations wherein the later connected peripheral device is given higher priority” (claim 29), or “a lookup table based on heuristic data” (claim 30). While devices may have priority in Fujiyoshi (US #6,384,925 B1), this is not seen as suggesting a prioritized display in combination with Mano.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the




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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

7 April 2005